

REMARKS

Claims 1, 9-12, 14, 22-25, 27 and 34-37 have been amended. Claims 1-39 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

At the top of p. 2 of the previous Office Action, the Examiner asserts that the application is eligible for transitional procedure under 37 CFR 1.129(a). However, Applicants note that the present application was filed on April 21, 2000. Applicants are unsure why the Examiner is referring to the transitional procedure of 37 CFR 1.129(a). The Examiner also states that a fee set forth in 37 CFR 1.17(r) has been timely paid. Applicants should not have been charged any fee under 37 CFR 1.17(r). If Applicants were charged the fee under 37 CFR 1.17(r), Applicants hereby request a refund pursuant to 37 CFR 1.26.

Section 102(b) Rejection:

The previous Office Action rejected claims 1-39 under 35 U.S.C. § 102(b) as being anticipated by Barker et al. (U.S. Patent 6,363,421) (hereinafter "Barker"). Applicants respectfully traverse this rejection in light of the following remarks.

Barker does not teach that the event gateway comprises a plurality of event distribution server sinks configured to receive events generated by the managed objects and distribute the events to the one or more managers such that one of the managers receives events from a plurality of different ones of the event distribution server sinks, as recited in claim 1. Barker teaches a single event distributor 140 (Barker -- Fig. 4). Barker teaches that this single event distributor "is responsible for filtering and routing of all events in the system" (Barker -- col. 17, lines 5-6). Thus, Barker actually teaches away from a plurality of event distribution server sinks configured such that one of the managers receives events from a plurality of different ones of the event distribution server sinks, as recited in claim 1.

Claim 1 also specifies that the events are generated by the managed objects. The Examiner's position appears to be that applications 44 and 50 are managed objects that generate events. However, Barker clearly describes applications 44 and 50 as client applications which are distinct from the managed objects. *See, e.g., Barker -- col. 11, lines 47-60; col. 13, line 46 -- col. 16, line 12; col. 39, line 55 -- col. 40, line 16.* At the top of Fig. 6, Barker defines an example of a managed object as a network element. Thus, in Fig. 2, the managed objects are represented by network element 14, not client applications 44 and 50. Anyone of ordinary skill in the art reading Barker would understand that client applications 44 and 50 are not the managed objects in Barker's system.

Furthermore, there is no teaching in Barker that client applications 44 and 50 generate events. A careful reading of each section of Barker cited by the Examiner reveals absolutely no mention at all that client applications 44 and 50 generate events received by element management system server 32. **If the Examiner plans to maintain this interpretation of Barker, Applicants request the Examiner to quote the exact column and line numbers that state that client applications 44 and 50 generate the events described in Barker.**

Applicants remind the Examiner that anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 221 USPQ 481, 485 (Fed. Cir. 1984). The identical invention must be shown in as complete detail as is contained in the claims. *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). For the reasons stated above, Barker clearly fails to anticipate claim 1.

Independent claims 14 and 27 distinguish over Barker for similar reasons as stated above in regard to claim 1.

Furthermore, in regard to claim 10, Barker does not teach an event port registry server comprising a plurality of ports and an event port registry, wherein the event port registry server is coupled to the event distribution server, wherein the event ports comprise communication channels for the delivery of the events to the one or more managers, and wherein the event port registry provides information to the event distribution server regarding which ports correspond to which managers. The Examiner cites col. 9, line 22 – col. 10, line 49; and col. 14, line 35 – col. 15, line 32, of Barker in regard to claim 10. However, a careful reading of these sections of Barker reveals absolutely no description at all of anything that corresponds to an event port registry server comprising a plurality of event ports that comprise communication channels for the delivery of the events to the one or more managers. Nor does Barker contain any teaching that corresponds to an event port registry that provides information to an event distribution server regarding which ports correspond to which managers. Thus, claim 10 is further distinguishable over Barker. Similar arguments apply in regard to claims 23 and 35.

Furthermore, in regard to claim 12, Barker does not teach a plurality of event distribution server sinks that are distributed to provide load balancing of the events to the one or more managers. The Examiner cites col. 29, line 27 – col. 30, line 42; and col. 37, line 4 – col. 38, line 63, of Barker in regard to claim 12. However, a careful reading of these sections of Barker reveals absolutely no description at all of anything that corresponds to a plurality of event distribution server sinks that are distributed to provide load balancing of the events to the one or more managers. Thus, claim 12 is further distinguishable over Barker. Similar arguments apply in regard to claims 25 and 37.

CONCLUSION

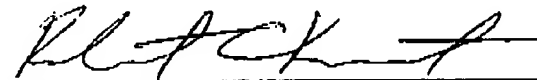
Applicants submit the application is in condition for allowance, and notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzcl, P.C. Deposit Account No. 501505/5181/48200/RCK.

Also enclosed herewith are the following items:

- ☒ Return Receipt Postcard
- ☐ Petition for Extension of Time
- ☒ Request for Continued Examination
- ☒ Information Disclosure Statement, Form PTO-1449, and copies of listed references
- ☐ Fee Authorization Form authorizing a deposit account debit in the amount of \$
for fees ().
- ☐ Other:

Respectfully submitted,



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